

PROB 12A
(7/93)

United States District Court
for
District of New Jersey
Report on Offender Under Supervision

Name of Offender: Michael Patrick Sargese Cr.: 06-00121-001

Name of Original Sentencing Judicial Officer: Stanley R. Chesler, U.S. District Judge

Date of Original Sentence: 01/07/08

Original Sentence: 60 months probation, \$100 special assessment. Special conditions included: 12 months community confinement; drug testing/treatment; DNA testing.

Original Offense: Conspiracy to Distribute Oxycodone

Date of Violation of Probation: 04/17/08

Sentence on Violation: Probation revoked - 4 months imprisonment, 3 years supervised release. Special conditions include drug testing/treatment, collection of DNA.

Type of Supervision: Supervised Release

Date Supervision Commenced: 09/19/08

NONCOMPLIANCE SUMMARY

The offender has not complied with the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.'

On October 6, 2008; November 17, 2008; and November 24, 2008, Sargese failed to report for random drug testing at North East Life Skills, Passaic, New Jersey.

Sargese is not participating in Narcotics Anonymous meetings as directed.

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Michael Patrick Sargese

U.S. Probation Officer Action:

Probation recommends presentation of this document to the offender as a formal judicial written reprimand.

Respectfully submitted,



By: Denise Morales
U.S. Probation Officer
Date: 12/04/08

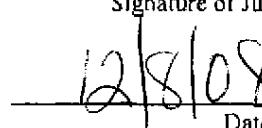
Submit a Request for Modifying the Conditions or Term of Supervision

Submit a Request for Warrant or Summons

Other: Probation to present this document to the offender as a formal judicial reprimand issued under the authority of the Court.



Signature of Judicial Officer



12/8/08

Date

UNITED STATES DISTRICT COURT
PROBATION OFFICE
DISTRICT OF NEW JERSEY

CHRISTOPHER MALONEY
CHIEF PROBATION OFFICER

THOMAS S. LARSON
SUPERVISING PROBATION OFFICER

December 4, 2008

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Stanley R. Chesler, USDJ
Martin Luther King Jr. Federal Building & Courthouse
P.O. Box 999
Newark, NJ 07101-0999

RE: Sargese, Michael Patrick
Dkt. No. 06-00121-001
Notice of Non-Compliance, Request for Judicial
Reprimand

Dear Judge Chesler:

On January 7, 2008, Your Honor sentenced Michael Patrick Sargese to five years probation (with the benefit of a 5K1.1 motion) and a \$100 special assessment for the offense of Conspiracy to Distribute Oxycodone. Special conditions included twelve months community confinement, drug testing/treatment and the collection of DNA.

In correspondence dated February 13, 2008, the Probation Office notified Your Honor that Sargese submitted a urinalysis that tested positive for oxycodone. On February 19, 2008, Your Honor directed the Probation Office to submit a request for a summons. Shortly thereafter, on February 29, 2008, Sargese was admitted to Toler House in Newark, New Jersey, where he began serving the community confinement portion of his sentence. On March 28, 2008, Sargese was discharged from the facility for testing positive for oxymorphone.

At a violation hearing held on April 17, 2008, Sargese pled guilty to drug use and failing to complete community confinement. He was sentenced to four months imprisonment and three years supervised release; special conditions include drug testing/treatment and the collection of DNA (completed 06/04/08). Sargese has been supervised since his release from custody on September 19, 2008.

The purpose of this letter is to report Sargese's non-compliance with the conditions of his supervision. Specifically, since the commencement of supervision, Sargese has failed to report to North East Life Skills, in Passaic, New Jersey, for random drug testing on three occasions (October 6, 2008, November 17, 2008, and November 24, 2008). In addition, he has failed to participate in Narcotics Anonymous meetings as directed.

Stanley
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December 4, 2008

In order to address this non-compliance, we respectfully recommend that Sargese be presented with a formal written reprimanded by way of the attached Probation Form 12A, *Report on Offender Under Supervision*. If Your Honor concurs with our recommendation, we ask that the document is completed accordingly, signed and returned. As always, we are available to discuss this matter. The undersigned can be contacted at (973) 357-4090.

Very truly yours,

CHRISTOPHER MALONEY, Chief
U.S. Probation Officer



By: Denise Morales
U.S. Probation Officer

/dm

